

**MICHIGAN ASSOCIATION OF MEDICAL EXAMINERS**

**Wednesday, March 25, 2009**

RE: HB 4013

52.202 Defines circumstances in which the county medical examiner's office shall investigate the death of an individual:

- a. Individual dies by violence
- b. Individual's death is unexpected
- c. Individual dies without medical attendance (in the preceding 48 hrs) unless the attending physician can accurately determine cause of death
- d. Individual dies as the result of an abortion
- e. Prisoner in city or county jail dies while imprisoned (medical examiner or deputy will examine body)

52.203 Defines circumstances in which deaths must be reported to medical examiner's office:

- a. Sudden death
- b. Unexpected death
- c. Accidental death
- d. Violent death
- e. Death as the result of suspicious circumstances
- f. Death without medical attendance (in the preceding 48 hrs) unless the attending physician can accurately determine cause of death
- g. Death due to abortion

- Most deaths in nursing homes or homes for the aged do not occur under circumstances that require reporting to the Medical Examiner.
- Proper reporting of deaths occurring in nursing homes or homes for the aged would identify deaths due to non-natural causes or with suspicious circumstances.
- Any person concerned about the circumstances of a death in nursing homes or homes for the aged can notify the Medical Examiner.
- The proposed legislation would substantially increase the number of deaths reported to the Medical Examiner; Medical Examiners would not otherwise be notified of these deaths because they do not meet existing reporting criteria.
- The intent of the proposed legislation is unclear.
  - If the intent is to require the Medical Examiner to investigate all deaths occurring in nursing homes or homes for the aged, no provisions are provided to fund the additional personnel required to accomplish this task.
  - If the intent is to identify cases of abuse/neglect occurring in nursing homes or homes for the aged it would be more prudent to identify such cases prior to death using current reporting, inspection and regulatory mechanisms.
- The Michigan Association of Medical Examiner's (MAME) is cognizant of elder abuse and neglect and supports efforts to identify and eliminate abuse and neglect of elderly persons and all other vulnerable persons.
- The Michigan Association of Medical Examiner's (MAME) does not support the proposed legislation as currently written.